REMARKS

Claim 70 is amended. Claims 70-84 are in the application for consideration.

The specification is amended to correct a typographical error and for clarification. No new matter is added. Entry of these amendments is requested.

It is respectfully requested that the Examiner consider the references submitted by the undersigned by a Supplemental Disclosure Statement via Express Mail on June 2, 2003, and return to the undersigned an initialed PTO-1449 from such filing.

Independent claim 70 stands rejected as being obvious over a combination of Mori et al. and Sakakibara et al. Claim 70 has been amended to recite that the opposing straight step surfaces are elevationally aligned with and extend from the active area upper planar surface to a respective one of the straight segments of the second portions. Further, claim 70 is amended to recite that the first gate dielectric layer has upper surface portions which are received over the step surfaces and which are parallel with the active area upper planar surface. Such features, in combination with the other claim 70 limitations, are neither shown nor suggested by either applied reference.

Specifically, Mori et al. discloses in Fig. 11C straight step surfaces of its insulative masses which are not elevationally aligned with the upper surface of its active area material 1. Rather, the step surfaces of Mori et al.

are received elevationally higher than such active area surface, and accordingly, are not elevationally aligned therewith, nor do such extend from the active area upper planar surface to a respective one of the straight segments of the second portions. Further, the gate dielectric layer 33 in Mori et al. does not have any upper surface portions which are received over its illustrated step surfaces, and certainly not with respect to the step surfaces as claimed by Applicant in claim 70.

Regarding Sakakibara et al., such similarly does not disclose opposing straight step surfaces which are elevationally aligned with and extend from the active area upper planar surface to a respective one of the straight segments of the second portions, as recited in Applicant's amended claim 70. Rather, the surfaces in Sakakibara et al. and extend to the top surface of their respective masses 30, not to a respective one of straight segments of the second portions. Indeed, Sakakibara et al. does not even have anything remotely equivalent to Applicant's claim-recited second portion straight segments. Further, the illustrated angled surfaces of Sakakibara et al. are clearly not elevationally aligned with the outer surface of its material 40, and rather, extends upwardly therefrom at an angle. In addition, the gate dielectric layer 41 of Sakakibara et al. does not have any upper surface portion received over a step surface which is parallel with the active area upper planar surface.

Neither Mori et al. nor Sakakibara et al. discloses the above-identified features. As neither discloses these identified features, it is inconceivable

that the combination does so. As the collective prior art references applied in the latest rejection do not teach or even suggest all of the claim 70 limitations, the rejection should be withdrawn, and action to that end is requested.

Applicant's dependent claims should be allowed as depending from allowable base claims, and for their own recited features which are neither shown nor suggested in the cited art. For example with respect to claim 71, such recites that the first gate dielectric layer includes straight laterally outermost surfaces which bear against the straight segments of the second portions, and which are thereby each normal to the active area upper surface. Clearly, Mori et al. only discloses laterally outermost surfaces which bear against the straight segments of the first portions relevant to Applicant's claim 71, not the second portions as recited. With respect to Sakakibara et al., no such straight laterally outermost surfaces are shown at all, and certainly not which are/would be normal to the active area upper planar surface.

The remaining applied Ding et al. and Shirai et al. references do not overcome the defects identified above with respect to claim 70.

This application is believed to be in immediate condition for allowance, and action to that end is requested

Respectfully submitted,

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By: _____
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